

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

FUNCTION MEDIA, L.L.C.

VS.

GOOGLE INC.

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CASE NO. 2:07-CV-279

VERDICT FORM

QUESTION NO. 1:

Do you find that Function Media has proven, by a preponderance of the evidence, that Google has directly infringed claims 1, 20, 37, 52, 63, 90, 179, and 231 of U.S. Patent No. 7,240,025 B2 ("the '025 patent")?

For each accused product, answer "Yes" or "No" for each claim.

AdSense for Content Online:

Claim 1: No

Claim 20: No

Claim 37: No

Claim 52: No

Claim 63: No

Claim 90: No

Claim 179: No

Claim 231: No

AdSense for Mobile Online:

Claim 1: No

Claim 20: No

Claim 37: No

Claim 52: No

Claim 63: No

Claim 90: No

Claim 179: No

Claim 231: No

QUESTION NO. 2:

Do you find that Function Media has proven, by a preponderance of the evidence, that Google has directly infringed claim 1 of U.S. Patent No. 7,249,059 B2 ("the '059 patent")?

For each accused product, answer "Yes" or "No."

AdSense for Content Online:

Claim 1: No

AdSense for Mobile Online:

Claim 1: No

QUESTION NO. 3

Do you find that Google has proven, by clear and convincing evidence, that any of the following claims of the '025 patent are invalid for the following reasons? "Yes" means the claims are invalid, and "No" means the claims are not invalid.

A. Because it is anticipated by the prior art?

Answer "Yes" or "No" for each claim.

Claim 1: Yes

Claim 20: Yes

Claim 37: Yes

Claim 52: Yes

Claim 63: Yes

Claim 90: Yes

Claim 179: Yes

Claim 231: Yes

B. Because it is rendered obvious by the prior art?

Answer "Yes" or "No" for each claim.

Claim 1: Yes

Claim 20: Yes

Claim 37: Yes

Claim 52: Yes

Claim 63: Yes

Claim 90: Yes

Claim 179: Yes

Claim 231: Yes

QUESTION NO. 4

Do you find that Google has proven, by clear and convincing evidence, that the following claim of the '059 patent is invalid for the following reasons? "Yes" means the claim is invalid, and "No" means the claim is not invalid.

A. Because it is anticipated by the prior art?

Answer "Yes" or "No."

Claim 1: Yes

B. Because it is rendered obvious by the prior art?

Answer "Yes" or "No."

Claim 1: Yes

If you have found any of the claims infringed and valid (i.e., you have answered “yes” to any of the claims in question numbers 1 or 2 and “no” to both sections of question numbers 3 or 4 for the corresponding claim), then answer question number 5. Otherwise, do not answer the following question; the jury foreperson should instead sign and date this Verdict Form and return it to the Security Officer.

QUESTION NO. 5:

What sum of money, if any, if paid now in cash, would fairly and reasonably compensate the plaintiff as a reasonable royalty for any infringement you have found?

Answer in dollars and cents, if any, for a reasonable royalty.

Answer: _____